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REMARKS

Claims 1-22 were rejected under the judicially created doctrine of obviousness type double patenting in view of US Patent 6,289,346. A terminal disclaimer submitted herewith overcomes this rejection.

Claims 1-4, 7-9, 11-12, 16-18 and 21 were rejected under 35 USC 102 as being anticipated by Kelly et al, US Patent 5,907,322. Applicants respectfully traverse.

Kelly et al describe what might be considered a personal system for retrieving archived information that relates to viewed and recorded TV programs. Specifically, the user has a system for receiving TV broadcasts, and a remote control device for interacting with the system. Additionally, the system has storage capacity, and access to the Internet or another network, through which the user can get information from a TV show schedules source, TV advertisement schedules source, TV advertisers' websites, and related other web sites.

As described in the flowcharts of the Kelly et al FIGS. 6-9, the user accesses the schedule of upcoming events, selects a set of events to be viewed, and develops a corresponding set of activity records (ARs). Each AR consists of data describing the date, time, and channel that is to be viewed, and those activity records are stored locally (for example, element 202 in FIG. 1); for example: "Sep 1, 1996-19:30:32-CH7" (col. 3, line 18). When the TV events are broadcast, the "system 100 stores the set of selected events into computer memory, so that on-line data associated with these events can be retrieved from a central database" (col. 2, lines 49-51). When the viewer is ready to browse the websites that are associated with the selected broadcast events, the AR information and additional data that characterizes the user generally is sent to the on-line information storage to retrieve the relevant data. As suggested by the above, the data to be retrieved seems to be advertisements, links to advertisers' websites, and other related websites.

Thus, when the user is ready to do some browsing, the AR records are supplied together with some information about the viewer. As described by Kelly et al, this is general information that does not uniquely identify the user. The types of information mentioned are demographic data, postal code of the viewer's location (col. 3, lines 9-10), regional information (col. 3, line 19).

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It appears that what is stored in response to the user's marking is the TV events when they are broadcast, but this storing is local, "into the computer memory," or into a VCR. When the user wishes to browse, the information that identifies that which was stored is used to access information on-line, from whence the user obtains related information, such as web pages that the viewer can view with a generic browser (col. 3, lines 24-28).

Nothing that is provided by the user in the Kelly et al system is stored in a network-based repository. The broadcast programs are stored in a local computer memory, or VCR, and the ARs are stored in a local controller. Further, the *stored* bookmarks do not identify the user, and the bookmarks that are *sent* to the on-line sources at the time of browsing are not provided by the user, and do not identify the user with specificity. Identifying the user with specificity is not necessary because the storage of the ARs is local to the user.

In contradistinction, amended claim 1 specifies that the viewer-provided information is provided to a network server. Therefore, claim 1 is not anticipated by Kelly et al. Additionally, claim 1 specifies providing identification information for the item of interest and identification information of the viewer that is sufficient to identify a record as one submitted by the viewer. This, too, makes claim 1 not anticipated by the Kelly et al reference.

The claims that depend on claim 1 are also not anticipated by Kelly et al, at least by virtue of their dependence on claim 1. Moreover, at least some of the claims contain limitations that make the claims additionally neither anticipated nor rendered obvious by Kelly et al.

For example, claim 3 specifies that the step of providing includes information that specifies a particular portion of the item of interest. The Examiner points to the specification of a particular date, time and channel of the broadcasted event. However, that is the specification of the event; not a portion of the event. To specify a portion of an event one must first specify the event, and then provide additional information. Such additional information is simply not taught by Kelly et al.

Amended claim 12 has distinguishing limitations that are similar to those of amended claim 1 and, therefore, it is respectfully submitted that amended claim 12 and

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the claims that depend thereon are neither anticipated nor rendered obvious by Kelly et al.

As for independent amended claim 16, it is respectfully submitted that the sequence of step defined in claim 16 is totally different from that which is described by Kelly et al and, therefore, it is believed that claim 16, and the claims that depend on claim 16, are neither anticipated nor made obvious by Kelly et al. To give an example, claim 16 specifies bookmarking while viewing a program, whereas Kelly et al specify it beforehand in order to identify the program that will be viewed.

Claims 5 and 19 were rejected under 35 USC 103 as being unpatentable over Kelly et al in view of Jeff Peline, "The San Francisco Chronicle," January 18, 1996. Applicants respectfully traverse. The Peline article does not supply that which the base claims of claims 5 and 19 specify (claims 1 and 16, respectively) and is missing in Kelly et al, and, at least for this reason, claims 5 and 19 are believed to be not obvious in view of the Kelly et al and Peline combination of references.

Claims 6, 13, 14, 15 and 20 were rejected under 35 USC 103 as being unpatentable over Kelly et al in view of Rob Guth, "Oracle unveils 'Internet Toaster' prototypes," SunWorld, March, 1996. Applicants respectfully traverse. The Guth article does not supply that which the base claims (1, 12, and 16) specify and is missing in Kelly et al and, at least for this reason, claims 6, 13, 14, and 15 (claim 20 is canceled) are believed to be not obvious in view of the Kelly et al and Guth combination of references.

Claims 10 and 22 were rejected under 35 USC 103 as being unpatentable over Kelly et al in view of Jakob Nielsen, US Patent 5,890,164. Applicants respectfully traverse. The Nielsen patent does not supply that which the base claims (1 and 15) specify and is missing in Kelly et al and, at least for this reason, claims 10 and 22 are believed to be not obvious in view of the Kelly et al and Nielsen combination of references.

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In light of the above amendments and remarks, applicants respectfully submit that all of the Examiner's rejections have been overcome. Reconsideration and allowance of the outstanding claims are respectfully solicited.

Respectfully,
Allen E. Milewski
Thomas M. Smith

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By 

Henry T. Brendzel
Reg. No. 26,844
Phone (973) 467-2025
Fax (973) 467-6589
email brendzel@comcast.net